HLS 13RS-321 ORIGINAL

Regular Session, 2013

HOUSE BILL NO. 607

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of the city of New Orleans.

BY REPRESENTATIVE MORENO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/JUVENILE: Provides for the elimination of two judgeships from the Orleans Parish Juvenile Court

AN ACT

2 To amend and reenact R.S. 13:1568.3, 1595, and 1595.1, relative to Orleans Parish Juvenile 3 Court judges; to designate special divisions of the Orleans Parish Juvenile Court; to 4 abolish specific judgeships upon the expiration of terms or vacancy in the Orleans 5 Parish Juvenile Court; and to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. R.S. 13:1595 is hereby amended and reenacted to read as follows: 8 §1595. Judges; criers and stenographers 9 A. In addition to Sections "A", "B", and "C" of the Juvenile Court for the 10 Parish of Orleans, there is hereby created a new section of said the court to be 11 designated as Section "D". The additional judge herein created shall be known as the 12 judge of Section "D" of the Juvenile Court for the Parish of Orleans. Each judge 13 shall have the right to appoint a crier and stenographer for his own section of said the 14 court, who shall perform the same duties and receive the same compensation, 15 payable in the same manner and from the same sources as similar officials in other 16 sections of the said court. The judge of Section "D" of the juvenile court shall be 17 elected by the voters of Orleans Parish concurrently with the next election for mayor

1	B. The judgeship created for Section "D" of the Juvenile Court for the parish
2	of Orleans shall be abolished effective December 31, 2014, at midnight.
3	C. The first judgeship becoming vacant by death, resignation, retirement, or
4	removal on or after December 31, 2014, at midnight shall be abolished the following
5	day.
6	Section 2. R.S. 13:1568.3 and 1595.1 are hereby amended and reenacted to read as
7	follows:
8	§1568.3. Special divisions of court
9	A. In accordance with the jurisdiction provided for in the Children's Code,
10	in a juvenile court located in Orleans Parish, there shall be special divisions of court
11	with exclusive jurisdiction over child in need of care proceedings, as specifically
12	provided for in Titles VI, X, XI, and XII of the Louisiana Children's Code and
13	generally provided for in other titles or articles of the code, which shall consist of
14	Section "A" and Section "D", Section "B", Section "C", Section "E", and Section "F"
15	of the court.
16	B. In accordance with the jurisdiction provided for in the Children's Code,
17	the juvenile court located in Orleans Parish, there shall be special divisions of court
18	with exclusive jurisdiction over delinquency proceedings, as specifically provided
19	for in Title VIII of the Louisiana Children's Code and generally provided for in other
20	titles or articles of the code, which shall consist of Section "A", Section "B", Section
21	"C", Section "E", and Section "F".
22	* * *
23	§1595.1. Additional judges for the Orleans Parish Juvenile Court; creation;
24	personnel
25	In addition to the presently existing Sections "A", "B", "C", "D", and "E" of
26	the present Orleans Parish Juvenile Court, there is hereby created one new section
27	of the court for purposes of nomination and election only, to be designated as Section
28	"F". There is hereby established one additional judgeship, the judge of which shall
29	preside over Section "F". Such judge shall have the right to appoint a crier and

1 stenographer for his own section of the court, who shall perform the same duties and 2 receive the same compensation, payable in the same manner, and from the same 3 sources as similar officials in other sections of the court. 4 Section 3. Section 2 of this Act shall become effective on December 31, 2014, at 5 midnight. 6 Section 4(A). All cases allotted to Section "D" on December 31, 2014, at midnight shall be reallotted equally by the clerk of court among Sections "A", "B", "C", "E", and "F" 7 8 on January 1, 2015. 9 Section 4(B). Upon abolishment of the judgeship that becomes vacant by death, 10 resignation, retirement, or removal pursuant to Subsection C of this Act, all cases of the 11 abolished section of court shall be reallotted equally by the clerk of court among the 12 remaining sections of the court.

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Moreno HB No. 607

**Abstract:** Abolishes two judgeships in the Orleans Parish Juvenile Court and designates certain sections as special divisions of the court.

<u>Present law</u> provides for the creation of a new section of court and judgeship to be designated as Section "D" of the Orleans Parish Juvenile Court and authorizes the judge to appoint a crier and stenographer for the section.

<u>Proposed law</u> abolishes Section "D" of the Orleans Parish Juvenile Court effective Dec. 31, 2014, at midnight.

<u>Proposed law</u> requires the first judgeship that becomes vacant by death, resignation, retirement, or removal on or after Dec. 31, 2014, at midnight to be abolished the following day.

<u>Present law</u> provides for the designation of Sections "A" and "D" of the Orleans Parish Juvenile Court as the special divisions of court with exclusive jurisdiction over child in need of care proceedings.

<u>Proposed law</u> retains <u>present law</u> except that it removes Section "D" as special divisions of court with exclusive jurisdiction over child in need of care proceedings, effective Dec. 31, 2014, at midnight and further provides for all cases allotted to Section "D" to be reallotted equally by the clerk of court to the remaining sections of court.

<u>Present law</u> provides for the designation of Sections "B", "C", "E", and "F" as the special divisions of court with exclusive jurisdiction over delinquency proceedings.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> retains <u>present law</u> until such time as one of the sections of court becomes vacant due to death, resignation, retirement, or removal on or after Dec. 31, 2014, at which time, all cases of the abolished section will be reallotted equally by the clerk of court among the remaining sections of the court.

<u>Present law</u> provides for the creation of a new section of the court, in addition to the existing sections and one new judgeship who shall preside over the new section to be designated as Section "F". Further authorizes the judge to appoint a crier and stenographer for his section of court to perform the same duties and receive the same compensation as similar officials in other sections of court.

<u>Proposed law</u> retains <u>present law</u> except that it removes Section "D" as an existing section of the court.

Effective Dec. 31, 2014, at midnight.

(Amends R.S. 13:1568.3, 1595, and 1595.1)